

**Notice of Allowability**

Application No.

09/619,607

Applicant(s)

NAGASAKA, FUMIO

Examiner

Taghi T. Arani

Art Unit

2131

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/26/2005.
2. ☒ The allowed claim(s) is/are 2-4, 7, 9, 11, 13, 20, 22, 25 and 28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
AYAZ SHEIKH

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2100

**Examiner's Statement of Reasons for Allowance**

Claims 2-4,7,9,11,13,20,22,25,and 28 are allowed over prior art.

The following is an examiner's statement of reasons for the indication of allowable claimed subject matter.

As per claims 2-4,7,9,11,13,20,22,25,and 28, Prior art of record to Bennett teaches a response unit that gives a response of failed log-in to one specific device of interest, which has just output a request of log-in, when a number of specific devices that currently log in said logged-in device reaches a predetermined allowable number of simultaneous log-in (column 2, lines 30-35 and column 4, lines 21-37); and

a re-request timing specification unit that specifies a timing of re-request of log-in to determine a time when said specific device of interest, which has just output the request of log-in and received the response of failed log-in, should output another request of failed log-in (column 2, lines 40-41, see also col. 1, lines 53-57, Bennett discloses locks whereby the server enforces serial equivalence on clients and transactions by ordering them, at least partially, according to the time sequence in which they first access a resource. Bennett further discloses, col. 8, lines 38-47, that the server enforces a "first-come-first-serve" system of accounting for clients retries)).

Bennett is silent in disclosing a predetermined relationship being between the specified timing and the specific device of interest.

Prior art of record to Comroe et al. teach a serial link communications protocol for optimizing bus contention (abstract) wherein a predetermined relationship being between the specified timing and the specific device of interest (col. 5, lines 1-13).

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Prior art of record singly or in combination fails to teach or fairly suggest 'the re-request timing specification unit including: a precedence designation unit that allocated an ordinal number of precedence to the specific device of interest, which has just output the request of log-in; and a re-request timing determination unit that determines the timing of re-request of log-in with regard to the specific device of interest, based on the ordinal number of precedence allocated to the specific device of interest'".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taghi T. Arani whose telephone number is (571) 272-3787. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Taghi T. Arani, Ph.D.

Examiner

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AYAZ SHEIKH

SUPERVISORY PATENT EXAMINER  
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